

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CIVIL ACTION NO. 5:15-CV-069-RLV-DCK**

JAMES L. BRAXMEIER, )  
Plaintiff, )  
v. ) **ORDER**  
ALEX LOPEZ and KENVIEN C. SUTTON, )  
Defendants. )

**THIS MATTER IS BEFORE THE COURT** on Plaintiff's "Motion To Stay" (Document No. 15) filed October 7, 2015. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion, the record, and applicable authority, the undersigned will deny the motion.

The instant motion does not appear to comply with the Local Rules of this Court, including Local Rules 7.1 (B) and (C). Moreover, the instant motion seems inconsistent with the “Certification And Report Of F.R.C.P. 26(f) Conference...” (Document No. 16) filed on the same date. Under the circumstances, the undersigned will deny the motion without prejudice to re-file. Any revised motion to stay should show that the parties have conferred and further explain the need for a stay of this matter. In addition, Plaintiff should show cause why this matter should not be voluntarily dismissed instead of stayed.

**IT IS, THEREFORE, ORDERED** that Plaintiff's "Motion To Stay" (Document No. 15) is **DENIED WITHOUT PREJUDICE**.

Signed: October 7, 2015

David C. Keesler  
United States Magistrate Judge

